

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:19-cv-00070

Raul Villegas Garza,

Plaintiff,

v.

John Pizer,

Defendant.

Before BARKER, *District Judge*

ORDER

Plaintiff, an inmate in the custody of the Texas Department of Criminal Justice, proceeding *pro se* and *in forma pauperis*, filed this case pursuant to 42 U.S.C. § 1983. Doc. 1. United States Magistrate Judge K. Nicole Mitchell issued a report and recommendation concluding that plaintiff's claims should be dismissed with prejudice pursuant to 28 U.S.C. § 1915A(b)(1) until the *Heck* conditions are met. Doc. 5. Plaintiff received the report and recommendation on October 23, 2019. Doc. 6. Plaintiff has not objected to the report and recommendation. *Douglass v. United States Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (en banc).

There being no clear error, the court **adopts** the report and recommendation as the opinion of the court. Therefore, all claims contained in plaintiff's complaint are **dismissed with prejudice**. Those claims may not be asserted again until the *Heck* conditions are met. *Heck v. Humphrey*, 512 U.S. 477 (1994). Any pending motions are **denied**. The clerk of the court is **directed** to close the case.

So ordered by the court on February 10, 2020.



J. CAMPBELL BARKER
United States District Judge